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8 GEMMA RIVERA, et al.,  
9 Plaintiffs,  
10 v.  
11 KNIX WEAR, INC.,  
12 Defendant.

Case No. [5:22-cv-02137-EJD](#)

**ORDER TO SHOW CAUSE WHY  
MOTIONS SHOULD NOT BE  
TERMINATED WITHOUT  
PREJUDICE**

13 Re: ECF Nos. 12, 14, 35  
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On February 6, 2023, the Court took Defendant's motion to dismiss, for sanctions, and to stay discovery under submission without oral argument ("Motions"). ECF No. 48. On April 11, 2023, counsel for Plaintiff Gemma Rivera filed a motion to withdraw as Ms. Rivera's counsel, which the Court granted following a hearing on May 11, 2023. ECF Nos. 56, 59. On July 7, 2023, the parties filed a joint statement, indicating that Plaintiff Marisa Franz is interested in settling her individual claim against Defendant Knix Wear Inc. and Plaintiff Rivera is seeking counsel to continue prosecuting her individual and the class claims. ECF No. 62.

The Court hereby ORDERS all parties to show cause why the Motions should not be TERMINATED WITHOUT PREJUDICE to renewal after Plaintiff Rivera has obtained counsel or if Plaintiff Franz does not decide to settle. All parties shall file a statement not to exceed two (2) pages by August 14, 2023.

**IT IS SO ORDERED.**

Dated: July 31, 2023

  
EDWARD J. DAVILA  
United States District Judge

Case No.: [5:22-cv-02137-EJD](#)  
ORDER TO SHOW CAUSE REGARDING TERMINATION WITHOUT PREJUDICE